

REMARKS

Claims 34-36 and 39-55 presently appear in this case. No claims have been allowed, although claims 38 and 39 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. The official action of August 11, 2003, has now been carefully studied. Reconsideration and allowance are hereby respectfully urged.

Briefly, the present invention relates to a method for isolating and identifying polypeptides capable of binding to the death domain motif of a regulatory protein containing a death domain. The method involves assaying polypeptides to be tested for binding to the death domain motif of the regulatory protein and then isolating and identifying any polypeptide that binds to that motif. The regulatory protein is NGF-R, MORT-1 or ankyrin 1.

The examiner has stated that the priority of Israeli application 112742 is not available for any claim that specifically refers to RIP or TRADD, which, according to the examiner, are first disclosed in the Israeli priority application of September 13, 1995.

Claims 34-37, 40 and 41 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Tartaglia, Hsu or Stanger in view of Song.

Claim 34 has now been amended to insert the subject matter of previously appearing claim 38, which is not subject to this rejection. All of the remaining claims are ultimately dependent from new claim 34. Thus, none of these claims can be subject to the present rejection for the same reason that claim 38 was not subject to this rejection. Reconsideration and withdrawal of this rejection is therefore respectfully urged.

Claims 34-36, 40 and 41 have been rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The examiner states that the claims encompass screening all death domains, while applicant has disclosed only five death domain regions.

As indicated above, claim 34 has now been amended to appear as claim 38 rewritten in independent form. As claim 38 was not subject to this rejection, new claim 34 is no longer subject thereto, nor are any of the claims dependent therefrom. Reconsideration and withdrawal of this rejection is therefore respectfully urged.

Claims 34-36, 40 and 41 have been rejected under 35 U.S.C. §112, first paragraph, for failure to comply with the enablement requirement.

As discussed above with respect to the written description rejection, this rejection is not applicable to claim 38. Claim 34 has now been rewritten to appear as claim 38 in independent form. Thus, this claim and those claims dependent therefrom are no longer subject to the present enablement rejection. Reconsideration and withdrawal thereof are therefore respectfully urged.

The examiner has stated that claims 38 and 39 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 34 is now effectively claim 38 rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Accordingly, new claim 34 and all those claims dependent therefrom should now also be allowable. Additional dependent claims have been added which are the same as previously appearing claims 35, 36, 40 and 41 but each specifying a single one of the three regulatory proteins which are now being examined.

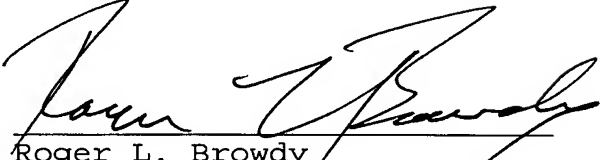
Appln. No. 10/035,408  
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It is submitted that all of the claims now  
present in the case clearly define over the references of  
record and fully comply with 35 U.S.C. §112.  
Reconsideration and allowance are therefore earnestly  
solicited.

Respectfully submitted,

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